

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0402-01
Bill No.: HB 481
Subject: Roads and Highways, Motor Vehicles
Type: Original
Date: March 18, 2011

Bill Summary: This proposal requires vehicles to yield the right-of-way to all pedestrians crossing a city or neighborhood street in Jackson County.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **City of Kansas City, Office of Prosecution Services** and the **Office of State Courts Administrator** assume that there is no fiscal impact from this proposal.

Officials from the **State Public Defender's Office (MSPD)** state the for the purpose of the proposed legislation, and as a result of excessive caseloads, the MSPD cannot assume existing staff will provide competent, effective representation for any new cases where indigent persons are charged with the proposed new crime of failure to yield the right of way in the neighborhoods of Jackson County. The MSPD is currently operating in a crisis mode with caseloads far in excess of any recognized standard.

The MSPD states the passage of legislation increasing penalties on existing crimes or creating new crimes will require the MSPD to further overextend already overextended resources. While the number of new cases may be too few or uncertain to request additional funding for this specific bill, the MSPD will continue to request sufficient appropriations to provide competent and effective representation in all cases.

Oversight assumes the MSPD can absorb the additional caseload that may result from this proposal.

Officials from the **Department of Corrections (DOC)** state this proposal requires vehicles to yield the right-of-way to all pedestrians crossing a city or neighborhood street in Jackson County. The component of the bill to have potential fiscal impact for DOC, is for a class A misdemeanor.

Currently, the DOC cannot predict the number of new commitments which may result from the creation of the offense(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this legislation, the DOC will incur a corresponding increase in operational cost through supervision provided by the Board of Probation and Parole (FY10 average of \$3.92 per offender, per day or an annual cost of \$1,431 per offender).

In summary, supervision by the DOC through probation would result in some additional costs, but it is assumed the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

City of Kansas City
State Public Defender's Office
Office of State Courts Administrator
Office of Prosecution Services
Department of Corrections

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NOT RESPONDING

Kansas City Police Department
Independence Police Department
Jackson County Sheriff's Department
Jackson County
City of Independence
City of Lee's Summit
City of Grandview

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
March 18, 2011